

APPENDIX

Sent to Governor

(July 19, 1978)

S.C.R. 4

SEVENTH DAY

(Thursday, July 20, 1978)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Aikin, Andujar, Blake, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Ogg, Parker, Patman, Price, Santiesteban, Schwartz, Snelson, Traeger, Truan.

Absent-excused: Jones of Harris, Moore, Williams.

A quorum was announced present.

The Reverend Leopoldo Reyes, Cristo Rey Catholic Church, Austin, offered the invocation as follows:

God our Father, You have given all peoples one common origin, You guide and govern everything with order and love, You have charged us with the task of building on this earth a home where all may dwell in peace and harmony. By sharing the good things You give us, may we secure justice and equality for every human being, an end to all division, and a human society built on love and peace.

O God, You are the source of all wisdom, whose statutes are good and gracious, and whose law is truth, guide and direct our Senators of this great State of Texas assembled in this special legislative session, that by just and prudent laws, they may promote the well-being of all our people. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator Moore was granted leave of absence for today on account of important business on motion of Senator McKnight.

Senator Williams was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Jones of Harris was granted leave of absence for today on account of important business on motion of Senator Brooks.

RESOLUTION SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled resolution:

S.C.R. 8

REPORT OF STANDING COMMITTEE

Senator Jones of Harris submitted the following report for the Committee on Administration:

C.S.S.R. 42 (Read first time)

SENATE BILL AND RESOLUTIONS ON FIRST READING

The following bill and resolutions were introduced, read first time and referred to the Committee indicated:

S.B. 10 by Doggett

Finance

Relating to contributions by State agency from Social Security Trust Fund in order to obtain Federal Old Age and Survivors insurance coverage for State employees; amending Sections 4 and 5, Chapter 467, Acts of the 54th Legislature, Regular Session, 1955, as amended (Article 695h, Vernon's Texas Civil Statutes); and declaring an emergency.

S.J.R. 12 by Jones of Taylor

Jurisprudence

Proposing a constitutional amendment to eliminate the requirement that intangible personal property be taxed ad valorem and to exempt from ad valorem taxation household goods and personal effects not held or used for production of income.

S.C.R. 10 by Truan

Administration

Granting Nueces County Navigation District No. 1 and Champlin Petroleum Company permission to sue the State of Texas.

PROCLAMATION FROM GOVERNOR

The President laid before the Senate the following Proclamation from the Governor:

PROCLAMATION BY THE GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Under the provisions of Article IV, Section 8 of the Constitution of the State of Texas, I, Dolph Briscoe, Governor of the State of Texas, do hereby submit the following for consideration by the Second Called Session of the 65th Legislature, now convened, in addition to such items as have heretofore been submitted, to wit:

The enactment of legislation transferring certain units and facilities of the Texas Youth Council to the Texas Department of Corrections and the enactment of legislation transferring certain funds appropriated to the Texas Youth Council in the

General Appropriations Bill adopted in the Regular Session of the 65th Legislature from the Texas Youth Council to the Texas Department of Corrections;

The enactment of legislation amending Section 4 and 5, Chapter 466, Acts of the 54th Legislature, Regular Session, 1955, as amended, relating to contributions by the State of Texas and its agencies from the Social Security Trust Fund in order to obtain federal old age and survivor's insurance coverage for state employees;

The consideration and action upon other subjects and questions as the Governor may submit from time to time.

The Secretary of State shall take notice of this action and will notify the members of the Legislature.

IN TESTIMONY WHEREOF, I have hereunto
signed my name officially and
caused the Seal of State to be
affixed hereto at Austin, this the
20th day of July, A.D., 1978.

/s/DOLPH BRISCOE
GOVERNOR OF TEXAS

ATTEST:

/s/STEVEN C. OAKS
SECRETARY OF STATE

The Proclamation from the Governor was read and was filed with the Secretary of the Senate.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on State Affairs, Subcommittee on Nominations:

Austin, Texas
July 20, 1978

TO THE SENATE OF THE SIXTY-FIFTH LEGISLATURE, SECOND
CALLED SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

TO BE A MEMBER OF THE BOARD OF REGENTS OF LAMAR
UNIVERSITY:

For a six-year term to expire October 4, 1983:

MR. THOMAS M. MAES of Beaumont, Jefferson County is being
reappointed.

MR. A. H. MONTAGNE of Orangefield, Orange County is being reappointed.

MR. LLOYD L. HAYES of Port Arthur, Jefferson County is being
reappointed.

TO BE A MEMBER OF THE TEXAS MOTOR VEHICLE COMMISSION:

For a six-year term to expire September 1, 1983:

MR. DAN BOONE of Houston, Harris County is being reappointed.

MR. GORDON BAILEY, SR. of Fort Worth, Tarrant County is replacing
Mr. W. O. Bankston of Dallas, Dallas County whose term expired.

Respectfully submitted,

/s/DOLPH BRISCOE
GOVERNOR OF TEXAS

SENATE CONCURRENT RESOLUTION 3 ON SECOND READING

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S.C.R. 3. Granting Bertha Street, E. Bruce Street, M. Boyd Street, and Talus, Inc., permission to sue the State of Texas.

The resolution was read second time and was adopted.

**COMMITTEE SUBSTITUTE
SENATE CONCURRENT RESOLUTION 5 ON SECOND READING**

On motion of Senator Harris and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

C.S.S.C.R. 5. Granting Rucker Construction Company, Inc., permission to sue the State of Texas.

The resolution was read second time and was adopted.

**COMMITTEE SUBSTITUTE SENATE RESOLUTION 42 ON SECOND
READING**

On motion of Senator Jones of Taylor and by unanimous consent, the regular order of business and Senate Rule 74 were suspended to take up for consideration at this time:

C.S.S.R. 42. Creating a special interim committee to study the organizational structure and operation of the Board of Pardons and Paroles.

The resolution was read second time and was adopted.

MEMORIAL RESOLUTIONS

S.R. 55 - By Doggett: Memorial resolution for Dr. Arthur H. Moehlman.

S.R. 58 - By Lombardino: Memorial resolution for Sheriff W. B. "Bill" Hauck.

S.R. 59 - By Lombardino: Memorial resolution for John J. Monfrey.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 57 - By Doggett: Extending welcome to Reverend Leopoldo Reyes.

S.R. 60 - By Aikin: Extending welcome to Tracy Myers.

S.R. 61 - By Aikin: Extending congratulations to Ronnie A. and Raylene Nutt.

S.R. 62 - By Andujar: Extending congratulations to Mrs. Perry R. (Nancy) Bass.

S.R. 63 - By Ogg: Extending congratulations to Mrs. Florine Renfroe.

S.R. 64 - By Aikin: Extending welcome to B. J. Myers.

ADJOURNMENT

On motion of Senator Aikin the Senate at 10:14 o'clock a.m. adjourned until 10:30 o'clock a.m. Monday, July 24, 1978.

RECORD OF VOTE

Senator Patman asked to be recorded as voting "Nay" on the motion to adjourn until Monday, July 24, 1978.

APPENDIX

Sent to Governor

(July 20, 1978)

S.C.R. 8

In Memory**of****Alvin A. Burger****(Senate Resolution 56)**

Senator Doggett offered the following resolution:

WHEREAS, The death of longtime executive director of the Texas Research League, Alvin A. Burger, brought great sadness to those who knew him and was a deep loss to the City of Austin and the entire State of Texas; Mr. Burger was 79 at the time of his death on April 14, 1978; and

WHEREAS, Born December 24, 1898, in Harrison, New York, this distinguished gentleman studied at Washington University in St. Louis and at New York University Graduate School; while he was a student in St. Louis, he served as the director of the Junior Chamber of Commerce and helped establish the national Jaycees; and

WHEREAS, He began his illustrious career in governmental research in 1933 as director of state research for the New Jersey Chamber of Commerce; during the 20 years he served in this capacity, he also served as research director of the Council of State Chambers of Commerce in Washington, D.C., from 1947 to 1953; and

WHEREAS, In 1953, the Texas Research League was established and Mr. Burger became its first executive director, diligently serving in this capacity until his retirement in 1970; and

WHEREAS, Even after his retirement, this notable citizen remained active in state and national affairs: he served as a part-time consultant on governmental studies of manpower planning, state land use planning, and as the director of a citizens group appointed by the Speaker of the Texas House of Representatives to examine the operations of the house of representatives; he was the chairman of the Texas White House Conference on Aging in May, 1971, and was appointed by former Governor Preston Smith to serve as chairman of the Texas delegation to the White House Conference on Aging in November, 1971, and served as chairman of the Governor's Conference on Aging in 1972 and 1973; and

WHEREAS, Mr. Burger was honored by the Governor's Committee on Aging in 1971 as Texas' Outstanding Older American and in that same year was awarded a commendation by former President Nixon for exceptional service to others; and

WHEREAS, This tireless and devoted humanitarian had also contributed his time and energy to various civil organizations: he served as vice-chairman of the Adult Services Council and was a life member of the board of directors of the Child and Family Service; he was a member of the board of trustees of the Nueces Activities Center and a charter member and organizer of the Austin Community schools; he was a member of the Town and Gown Club, the Austin Club, and was an honorary member of the Governmental Research Association, having served two terms as its president; and he was a life member of the board of directors of the Texas Research League; and

WHEREAS, Mr. Burger was a faithful member of the St. David's Episcopal Church and had served as senior warden, the highest lay office in the church, and as chairman of the lay readers; his life will be an inspiration to those who knew him and his contributions to his community, state, and nation will be long remembered; now, therefore, be it

RESOLVED, That the Senate of the 65th Legislature, 2nd Called Session, pay tribute to the devoted life of service of Alvin A. Burger, and extend sympathy on their great loss to his children, Mrs. Laurance (Lora Jean) Henderson of West

Chatham, Massachusetts, and Donald Tilden Burger of East Granby, Connecticut; and, be it further

RESOLVED, That official copies of this resolution be prepared for the members of his family and that when the Texas Senate adjourns this day it do so in memory of Alvin A. Burger.

The resolution was read.

On motion of Senator Doggett and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.

On motion of Senator Jones of Taylor and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereto.